

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
ANGLIN AUTOMOTIVE LLC and THOMAS R.
ANGLIN,

Plaintiffs,

-v-

EBF HOLDINGS, LLC, NOVUS CAPITAL FUNDING II
LLC, SILVERLINE SERVICES, INC., MCA
RECEIVABLES, LLC, and FIVE G FUNDING LLC,

Defendants.

CIVIL ACTION NO.: 23 Civ. 1404 (ALC) (SLC)

ORDER

SARAH L. CAVE, United States Magistrate Judge.

On June 8, 2023, at the request of Defendants EBF Holdings, LLC (“EBF”), Novus Capital Funding II LLC (“Novus”), and MCA Receivables, LLC (“MCA,” with EBF and Novus, “Defendants”), the Court entered a briefing schedule for Defendants’ motions to dismiss the Complaint (the “Motions”). (ECF No. 25). The Court directed Plaintiffs to a single omnibus opposition brief, no longer than forty (40) pages, in response to the Motions by July 14, 2023 (the “Opposition”). (*Id.* ¶ 2). Plaintiffs failed, however, to file the Opposition by the Court-ordered deadline. As a one-time courtesy, the Court sua sponte extends this deadline, and directs Plaintiffs to file the Opposition by **July 21, 2023**. Defendants shall file their replies, if any, by **August 4, 2023**. **Plaintiffs are warned that failure to file the Opposition will result in the Court ruling on the Motions based on Defendants’ submissions alone and may result in of the Court granting the Motions and dismissing this action with prejudice.**

Additionally, the Court notes that the Clerk of Court administratively terminated Novus’ Motion due to a filing deficiency, and directed Novus to refile the corrected Motion. (*See* ECF

No. 29; ECF min. entry June 17, 2023). To date, however, Novus has not refiled the Motion.

Accordingly, Novus is directed to refile its Motion by **July 19, 2023**.

Dated: New York, New York
July 17, 2023

SO ORDERED.



SARAH L. CAVE
United States Magistrate Judge